

REMARKS

This amendment is being submitted to simplify the issues on appeal. Claims 3, 36-46, and 48-54 are pending. Claims 21-33 have been withdrawn from further consideration. Claim 47 has been cancelled herein.

As a preliminary matter, Appellant would like to thank the examiner for extending the courtesy of a telephonic interview with Appellant's representative. The substance of the *Examiner's Interview Summary Record* is substantially correct.

Since under Rule 41.33 amendments to the drawings are not permitted in this response, the Examiner's request for amended drawings to correct informalities that the Examiner identified for the first time in the last Office Action cannot be, and need not be, addressed in this response. As such, the Replacement Sheets of drawings are not being resubmitted at this time.

With respect to claim 46, this claim adds the feature that "the channels are oriented *substantially parallel to the longitudinal axis of the screw*." Claim 36, merely recites that the channels are substantially axially disposed with no reference to the longitudinal axis. In addition, claim 46 recites that the channels are parallel to the longitudinal axis not merely axially disposed. If the examiner still believes that this claim indefinite since his unreasonable reading of the claim language is different that Appellants, he should reject the claim under section 112, second paragraph, and Appellant will address the rejection in its Reply Brief.

Claim 47 has been cancelled rendering the rejections under rule 75(c) and § 112, second paragraph moot.

In view of the foregoing, Appellant respectfully requests that this amendment be entered for purposes of appeal. If the Examiner believes that direct contact with Appellant's representative would advance the prosecution of this application, the Examiner is requested to contact the undersigned at the number listed below.

Dated: 12/17/04

By: 

Respectfully submitted,
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